



**DETROIT CITY COUNCIL
Regular Meeting Minutes
Tuesday, February 12, 2019**

CALL TO ORDER: Mayor Jim Trett called the meeting to order at 6:30 PM at City Hall, 160 Detroit Avenue N., Detroit, Oregon.

1. ROLL CALL – Councilor’s Present – Shelley Engle, John Manthe, Greg Sheppard, Jim Trett, Vickie Larson-Hills and Eric Page. **Absent** – None **Staff Present:** Christine Pavoni City Recorder, Deborah Hastings City Clerk. **Citizens Present:** Cathie Price, Keith Munn, Dean O’Donnell, Sandy & Bob Franz, Chris & Sara Tardif, Will Ewing, (not signed in Kevin Hills)

2. PLEDGE WAS RECITED

3. DECLARATIONS OF CONFLICT OF INTEREST AND EX-PARTE CONTACT - None

4. ANNOUNCEMENTS – Mayor Trett announced the Council Training would be on Tuesday, March 12, 2019 before the council meeting. Councilor Engle will be gone for the March meeting or the training. After discussion, it was decided that 4:00 worked for everyone and Mayor Trett told Shelley the training would be recorded.

5. APPROVAL OF MINUTES OF THE LAST MONTH – Councilor Manthe motioned to approve the regular meeting minutes of January 8, 2019, motion was seconded, all in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed. Councilor Manthe motion to approve the special session meeting minutes of January 15th, motion was seconded all in favor (5) Page, Larson-Hills, Trett, Sheppard and Manthe, Abstain (1) Engle, motion passed. Councilor Manthe motioned to approve the special session minutes of January 23, motion was seconded, all in favor; (5) Page, Larson-Hills, Trett, Sheppard and Manthe, Abstain (1) Engle, motion passed.

6. APPROVAL OF THE BILLS PAYABLE LIST FOR CURRENT MONTH – Councilor Manthe motioned to pay the bills, motion was seconded, all in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed.

7. UNFINISHED BUSINESS

7.1. Rotating Meeting Schedule – Fire Chief Will Ewing reported that the Fire Department has gone through quite a few changes, that right now they are one member down on the board, that one of the board members was appointed for the secretary/administrative position and that they have another one that will be leaving in June or July. He said they are going to be going back for another levy in May, an extension to the one they have now, a five year levy and will be asking for the same amount for equipment, not personal. He added with all due humility if they don’t get it, they are going to be in really big trouble, that they are already in trouble but they would be in big trouble. That it is going to be very important for Idanha and Detroit to get that levy, that they would be able to be sustainable for another five years. Will stated they have volunteers coming back, that it’s good to see the locals back involved, which means we are less reliant on the paid guys, because that’s not sustainable. He said the Fire Department is moving forward at this point and will be addressing some equipment issues and that he is up here two or three days a week. He also reported they are working on the facility issue, which is a five to seven year plan. Getting us our 911 services is their number one goal and for that they need to revisit our people, our finances and equipment. Discussion followed after Councilor Manthe asked what the levy would pay for. Chief Ewing stated that he has a different vision for firefighters and volunteers that he believes whole heartedly in volunteers and thinks that is the only way Idanha/Detroit is sustainable is through the volunteer assistance that they are going to try to keep going. That he is not paying for paid firefighters. That he has been working on the budget and the extra \$40,000 that that levy gets them

between Linn and Marion County it's really just an operational budget, it is not a personal budget. That they are all building more in solid capacity to respond to 911, that is their ultimate goal. That in 1956 when the district was formed they were firefighting and now the mission has expanded considerably since their inception to respond to medical calls, and they will do everything they can to meet the mission we want them to meet. That important aspect is what we want them to do or not do, it's a community fire department. That his goal is to make it an outstanding organization with volunteers, with the heart to meet the mission for the community, because that is what they can do, but they won't have the ability to even do that without the levy. He invited anyone to come in the office and he would show them the bare bones of everything, that he believes in honesty and complete transparency. Discussion followed. Mayor Trett stated that Federal Lakes would not meet until April when the Corps is supposed to come out with their new proposal. DLRABA met on the 19th, Dean O'Donnell reported they just started out their new year and doing the pre-work for the Fishing Derby, which will be on the 17th, 18th and 19th this year and they talked about the fund raiser for the fireworks, which has been held the last three years. That he heard tonight that John and Sandy Elwood are going to do that again this year. Mayor Trett stated the wastewater meeting would be on February 2nd and would report on that later in the meeting. Next Fire Board meeting will meet on the 14th, DLRABA will meet in April and the Wastewater meeting would be on March 7th in Mill City.

7.2. Update: 137 Patton Street Dangerous Structure – Resolution No. 588 – Recorder Pavoni stated that as far as we know nothing had changed, we went and looked at it and the improvements that their Attorney said were made, were not made. So our Attorney made up a resolution, because nothing has been done, although the property owner did apply for a building permit and is planning to build, we don't know when. That Council has to decide if they want to go ahead with resolution 588, which would order them to have the building down by March 1st. Mayor Trett asked for a motion for resolution 588, a resolution of the City Council of the City of Detroit declaring a dangerous building on property located at 137 Patton Street. Councilor Manthe made the motion, motion was seconded. There was discussion regarding if the building was not all done by March 1st if we could then put out for a bid to have it taken down and not have to wait .. Recorder Pavoni replied yes and that the fine would also begin of \$250 per day on March 2nd and continue until the building was down, whether he takes it down or the city does. The fine would end once the building is down and the lot is clear. If the city takes it down, the cost will go on a lien against the property. Christine added that our Attorney sent his Attorney the resolution and told him this was going to council at the February meeting and would likely approve it. All in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed.

7.3. ATV Ordinance Violations – Mayor Trett stated he forgot to bring the safety vest for them to look at for code enforcement officers and will bring them next month. There was discussion about maybe putting together a meeting to discuss the ATV issue before the season begins. This to stay on the agenda.

7.4. Wayfinding Grant – Marion Cultural Development Corporation (MCDC) – Mayor Trett stated this is the \$1,000 grant we received to produce a flyer highlighting a couple of walking tours for the city. Recorder Pavoni added that we need to form a committee or assign it to planning commission to come up with the hiking trails and that Greg Sheppard and Steve Galbraith are very interested in joining this committee, working with the planning commission. Motion was made by Councilor Engle to assign the development of a walking trail map to the planning commission, plus community members, motion was seconded, all in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed.

7.5. Road Dedication 105 Patton Road – Recorder Pavoni reported the surveyor contacted her and said he would be out next week weather permitting. She explained the survey is needed for a land swap for Patton Road that is inside Lee Layman's property line for a portion of the city property that is in her yard, that he has to stake out the portion that belongs to the city.

7.6. Ballot Measure for Charter Change – Mayor Trett reminded council that it was brought up at the December council meeting by Councilor Sheppard to revisit the charter and bring it up for election again to allow three part time residents to be on council instead of two. Recorder Pavoni stated that it is free in November of an even numbered year and cost if in an odd number year. Mayor Trett said the earliest we could get a measure on the ballot is November 2019. After discussion, motion was made by Councilor Sheppard to place the proposal on the November 2019 ballot, motion was seconded. Discussion followed, all in favor; (5) Engle, Manthe, Sheppard, Trett and Page, Nay; (1) Larson-Hills, motion passed.

8. NEW BUSINESS

8.1. TMDL Overview – Councilor Sheppard pointed out a correction that needed to be made on the TMDL Implementation Plan. That there are a total of seven streets instead of twelve and five of those are paved and two graveled. Staff to make the correction.

8.2. Firewise USA Program – Mayor Trett reported we are trying for a grant for \$500. That we don't have a place for people to dump this year so we'll be getting a dumpster and the grant would help offset the cost. He told council he would like to maybe plan sometime around the firewise day to have a community town hall to talk about defensible space. That when he attended the Emergency Management Advisory Council meeting, one of the Lieutenant's from Woodburn Fire was down at the Paradise fire in California and did an outstanding presentation on what happened and everything he described sounded like Detroit. That he would be willing to come and do a presentation, Jim added that he feels people would get very real about defensible space after hearing his presentation. Councilor Sheppard suggested also inviting the new Ranger to get involved, because if maybe they could plan some timber sales east of town to kind of break up fuel. Mayor Trett also mentioned Senator Springer waiting for a house bill number for the legislation for law enforcement enforcing burn bands declared by the Marion County Fire Defense Board. Mayor Trett asked this be left on the agenda. Discussion followed.

8.3. Chemical Toilet Request 315 Santiam Ave– Mayor Trett reported Ordinance 213, Section 7(A), prohibits the use of a porta-potty on residential property unless the City Council approves it for short term use. Cecil Johnson the property owner is asking for permission to use one for at least 4 months while he's waiting for a VA loan to clear for a manufacture home on the property. Motion was made by Councilor Larson-Hills to allow the porta potty, motion was seconded. After discussion motion was amended by Councilor Engle to approve the porta potty through May 30, 2019 and that Cecil has to come next month to give council a report on the status of the trailer and all that with the VA, motion was seconded, all in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed.

8.4. Budget Calendar and Annual Saturday Meeting- Motion to approve the 2019-2020 budget calendar was made by Councilor Engle, motion was seconded, all in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed. Councilor Engle reported she would not be at the May 6th budget committee meeting. Annual Saturday meeting will be on the 17th of August.

9. CORRESPONDENCE – City Recorder, City Clerk – No questions or comments on letter sent. Councilor Engle asked in 9.2.6 in letters received regarding the burn pile request at the log boom area which was denied, if we had found a new place. Councilor Sheppard stated that Shari Flanders had offered her property at the end of Boulder N. Which Christine said is the only place but is not really suitable, but we will find a way.

10. COMMISSION AND MAYOR'S REPORTS

10.1. Mayor's Report – Jim Trett reported on the meetings he attended in January. On the 15th he attended an executive session here. The 21st Senator Merkley held a community leaders meeting just prior to his town hall meeting. The 22nd he attended the Emergency Management Advisory Council meeting and on the 23rd the Marion County Defense Board, the 24th was City Day at the Capitol, where he got to meet with Senator Springer and Senator Girod. One of the things that came of that was, if there was anything they could do to help with funding the excavation project under the Marina's, and Scott (Lunski) was going to get them information on that, because they wanted to try and find state money to help with that project. At the League of Oregon Cities meeting the State Treasurer, Tobias Reads was there. One of the things they are looking at is the Transit Lodging Tax for more flexibility in the use of TOT monies, and also a Marijuana raise of a 3% cap. The sewer meeting was on the 7th, which he said they would talk about a little bit more. Mayor Trett stated that Danielle Gonzalez is the force behind broad ban high speed internet and that she said they have some companies that are willing to put grey wire in the ground if there is an open ditch. He let her know that we are opening up a lot of ditched in town for waterlines beginning in a couple of months. The company comes in and puts in this wire they know isn't going to be used for potentially years, because it's cheaper to do. That he will be getting together with Danielle. Discussion followed. Mayor Trett said on the 14th of this month he will be at the County Commissioner's breakfast and following that the small cities meeting, which is a League of Oregon Cities group. On the 15th he'll be here for the Parks Committee and on the 19th that anyone can go to this, Econ Northwest meeting, talking about water rights for the Willamette Valley. On the 23rd he would be with Congressman Schrader for a community leaders meeting and at 6 PM will be at the COG's annual meeting dinner and on the 22nd the Willamette River Biop will have a meeting concerning the river.

10.2. Police and Safety Commissioner's Report – Vickie Larson-Hills reported that from the report from the Sheriff's office for Detroit in January, the average call lasted 2 hours and 41 minutes from time of arrival to

when they depart. The average response time from the time they get the call to the time they arrive is 61 minutes. She gave the average times of day the reports happened and the percentage of the calls during that time. She also gave the types of calls that were taken and that most of our call came in on Thursday's. Vickie added that she's gotten to visit with one of the Marion Deputies, Deputy Ferron who's been hanging out at McCoy and thanked him last weekend for the time he's spent up there because he's really making a difference in our community and he was up here on his days off. Councilor Sheppard reported the ODOT yard got broken into within the last couple weeks and thousands of dollars' worth of equipment was taken.

10.3. Street Commissioner's Report – Greg Sheppard reported he got ahold of Dennis Mansfield from Marion County Public Works because he was exploring the idea of maybe chip sealing a couple of the streets and they were nice enough to come up and look at some of them. That Boulder and Butte were so bad they didn't think the material would hold, which is too bad because chip seal is 1/3 of the cost of overlay. But they said they might be able to help with some other projects and would be sending him some information about getting an agreement, that they might do some work for us when they have time. He said he would be getting bids for paving Deer, Patton and Detroit Road South. He wants to put in for a grant to pave Forest Avenue that it just went up to \$100,000 and thinks we might have a good shot, and also wants to put in a walkway down Forest that would tie into the crosswalk.

10.4. Water Commissioner's Report – John Manthe Jr. reported on water use and consumption. The bid for phase one of the distribution lines was awarded to Pacific Excavation. He said to start there are three streets in the first phase, Patton, Deer Street and Detroit Road South. The bid came in \$20,000 lower than anyone else. He said we should be started within a month and a half on those three streets. Recorder Pavoni added that Rob Henry our Engineer will come to the next meeting and give them all an update. Mayor Trett asked for motioned to approve resolution 589, a resolution to award a construction contract for phase 2A water distribution improvements, motion was made by Councilor Manthe, motion was seconded, all in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed.

10.5. Building Commissioner's Report – Shelley Engle reported that a building permit was applied for at the South Patton address. That they have 180-days to start building or they can file for an extension for another 180-days and one more time after that. Six properties have filed for permits for housing permits, mechanical, plumbing and electrical. Butte, GuyMoore, Tumble, Front and Patton and two commercial were finalized for an electrical and mechanical permit.

10.6. Parks & Rec Commissioner's Report – Eric Page reported that the final construction cost was \$1,779,196 or \$942,084 over the estimated total project cost of \$887,112. Also the City has hired Brenda Leblanc as park maintenance, she started February 1st, Rick Morgan is going to train her on public works and Bob Bruce will be training her on water testing for on weekends and holidays. Kelly Galbraith will be our go to person for park matters and will also oversee and coordinate with Brenda on the maintenance. Eric stated that we are looking for a gator or side by side, some type of equipment to run down to the flats park to clean the restrooms, that we have to have pressurized water to do that. He said there is going to be park meeting the 15th at 4:00, that they are working on regulations and getting our ordinances in place. He said they are working and having conversation with the Forestry about when we are going to be opening down there, but thinks the plan is not to open until spring, that some planting still needs to be done. Eric commented that there have been a major change up with Forestry. People that were involved in this park project that carried it all along are now gone and new people are being placed, that his is working on catching up on the project and with all those people and what the working arrangement is with the new park and how everything is going to cohabitate together. Dean O'Donnell talked about getting a gazebo with a cover put in at the park and believes between DLRABA, the can can girls and a go fund me, they could raise enough money to have a nice structure there with picnic tables and benches, that if council is interested in them pursuing it they would be happy to do it. Recorder Pavoni responded that it is in the plans, it wasn't included in these grants, but is the next step. A place is already determined and electrical is stubbed in. That this is something the park committee will start talking about. Discussion followed.

10.7. Emergency Preparedness Commissioner's Report – Jim Trett reported before the snow storm they put up social media what the weather service said was going to happen. That Friday morning Eric Anderson and Ike, Marion County Emergency Management were talking about potential of what could happen and that they were ready to come up and help if we needed it and that he and Greg talked a little bit about plowing. Mayor Trett asked that the sewer be put back on the agenda.

> Sewer Project – Councilor Engle reported that they are now at the point where she is about to finish the grant, which is a \$25,000 grant that will allow them to hire the Attorney's to get all the loans and stuff. One of

the very next things they are asking is a request for proposal, so they can get an engineering firm to tell them what they need. Right now they are hiring Attorney's to move monies to Mill City who will be our fiduciary city, because they have a larger office staff that can handle that and also already have a billing system in place that would be our billing entity for the sewer district. She said that we are supposed to be doing an IGA (Intergovernmental Agreement) for Detroit to say yes, we are willing to say Mill City can handle the fiscal responsibility, so we have somebody to pay the attorney's and to eventually handle more monies as thing progress. Discussion followed. Mayor Trett read the purpose of the Intergovernmental Agreement that is between Marion County Oregon, Detroit Oregon, Gates Oregon, Idanha Oregon and Mill City Oregon. To establish a framework whereby the parties may utilize grant of funds from County and obtain consulting services regarding the potential formation of a special district for sewer services for their collective communities. Mayor Trett asked for a motion to accept the Intergovernmental Agreement, motion made by Councilor Engle, motion was seconded. All in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed. Mayor Trett stated that he would like to appoint Ken Woodward to that committee because he has served on it from the beginning and Shelley Engle because she is the web master and been going to the meetings and we have to have two official representatives. Mayor Trett asked for a motion to appoint Ken Woodward and Shelley Engle to the sewer task force committee as official representatives, motion was made by Councilor Manthe and seconded, all in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed.

10.8. Planning Commission – Kevin Hills Planning Commission Chair, stated regarding accessory structures they recommend using the same setbacks as the residential zone and the height be the same as a primary structure. Discussion followed in regards to a manufacture home having a height of 15/16 feet, which would not allow people to have a high enough accessory structure to store boats, RV's, etc. This to go back to the planning commission for further discussion. Transient Occupancy Tax, PC recommends not to raise the tax and leave it as is. Motion was made by Councilor Manthe to keep the TOT at the current rate, motion was seconded, all in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed. Planning Commission requested a list of properties that have right of way conflicts and set them on a priority list. This tabled until next month. PC request permission to change meeting time to 6:30 PM from 5:30 PM. Mayor Trett read resolution 587 by title. Councilor Manthe motioned to approve resolution 587 changing the meeting time for planning commission to convene at 6:30 PM from 5:30 PM, motion was seconded, all in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed.

11. PUBLIC COMMENTS – Councilor Engle read an article from the Reel News, a fishing paper/magazine Regarding pro-wild fish groups asking for a preliminary injunction in the U.S. District Court Portland to force the U.S. Army Corps of Engineers to change operations at Willamette River basin dams which includes Detroit Lake. They propose deepening reservoir drawdowns to provide water for river fish passage. Councilor Engle suggested, to the referenced proposed injunction that would force the Army Corp to change the drawdown calculations of Detroit Lake, which would potentially destroy the town if we experience even greater earlier drawdowns of the lake levels. Shelley stated that she would suggest and support having the City Attorney file an amicus brief to the court in opposition to changes in the curve. While not a party to the suit, per se, the City has standing in the case as a party that would be dramatically impacted by the potential actions of the suite. That both the DLRABA and the City should be making their views known before this action gains further traction. That she believes the fate of the city is dependent on the condition of the lake. Councilor Page agreed we have to get on board and make our voices heard. Motion was made by Councilor Engle to direct staff to contact Legal Counsel to file an amicus brief, motion was seconded, all in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed.

12. ADJOURN – Councilor Manthe motioned to adjourn at 8:34 PM, motion was seconded, all in favor; Page, Larson-Hills, Trett, Sheppard, Manthe and Engle, motion passed.

Signed:

Attest:

James R. Trett, Mayor

Christine Pavoni, City Recorder